



REGULAR MEETING OF THE CITY COUNCIL AND THE COUNCIL SITTING AS THE REDEVELOPMENT AGENCY

**Council Chamber in City Hall
68-700 Avenida Lalo Guerrero
Cathedral City, CA 92234**

WEDNESDAY, FEBRUARY 9, 2005

The regular meeting of the City Council, also sitting as the Redevelopment Agency, and the was called to order by Mayor DeRosa in the Council Chambers on February 9, 2005 at 3:01 p.m.

ROLL CALL:

Present: Council Members/RDA Board Members England, Marchand, Mayor Pro Tem/Vice-Chairman Pettis, and Mayor/Chairman DeRosa

Absent: None

The regular meeting began at 6:31 p.m. and was opened by Mayor DeRosa. Pastor Keith Mewsine of North Gate Community Church gave the invocation. The Cathedral City High School Air Force Junior ROTC Color Guard presented the colors and Mayor DeRosa led the audience in the Pledge of Allegiance.

CLOSED SESSION AGENDA:

1. CONFERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION pursuant to Government Code Section 54956.9, Subd. (b)
Number of Potential Cases: 2
2. CONFERENCE WITH LEGAL COUNSEL REGARDING EXISTING LITIGATION pursuant to Government Code Section 54956.9, Subd. (k):
Case Name: The City of Cathedral City vs. James Lucero, an individual, Elaine Lucero, an individual, Chandler J. Mahoney, an individual, Marie Corporation, a Corporation, Connie Ahumada, an individual; and DOES 1 through 50, inclusive
Case No.: Superior Court of the State of California In and For The County of Riverside, Indio Branch Case No. INC047273
3. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Keith Scott**)
Property Location: 68-307 East Palm Canyon Drive
APN# 687-086-001through 687-086-006
Negotiating Parties: Redevelopment Agency and Dick Gaetaniello of Taft and Associates

CC/RDA/DTF MEETING

February 9, 2005

Page 2

- Property Owner: Redevelopment Agency
Under Negotiation: Disposition of Property
4. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Paul Shillcock**)
Property Location: North of the Holiday Inn Express, west of the entry road to the Albertson's Shopping Center; and east of the Holiday Inn Express adjacent to the Date Palm Right of Way
APN# 687-480-005 & 006
Negotiating Parties: Redevelopment Agency and Lucky Real Estate, Inc.
Property Owner: Lucky Real Estate, Inc.
Under Negotiation: Disposition of Property
5. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Paul Shillcock**)
Property Location: South of East Palm Canyon, west of Perez Road APN# 687-030-010
Negotiating Parties: Redevelopment Agency and CCC Properties, LLC (O'Brien Automotive Team, Inc.)
Property Owner: Redevelopment Agency
Under Negotiation: Disposition of Property and Development Agreement
6. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Warren Bradshaw**)
Property Location: 32399 & 32395 Canyon Vista Drive
APN# 680-273-014
Negotiating Parties: Cathedral City Redevelopment Agency
Property Owner: Cathedral City Redevelopment Agency and Habitat for Humanity
Under Negotiation: Property Disposition
7. CONFERENCE WITH REAL PROPERTY NEGOTIATOR pursuant to Government Code Section 54956.8. (**Warren Bradshaw**)
Property Location: 68-840 Cedar Road APN# 680-401-008
Negotiating Parties: Cathedral City, Redevelopment Agency and Pablo Jaramillo
Property Owner: Redevelopment Agency
Under Negotiation: Property Disposition

CLOSED SESSION ANNOUNCEMENTS:

Deputy City Attorney Green advised there was one reportable action out of closed session Item # 4. Two pieces of land, APN # 687-480-005 and APN #687-480-006 were offered to the city as a donation. Council Member Marchand moved to accept the donation, motion seconded by Council Member England, motion carried 4-0 by **Minute Order # 3854**.

CC/RDA/DTF MEETING

February 9, 2005

Page 3

PUBLIC COMMENTS

Bill Cohen – Cathedral City. Mr. Cohen made a plea for more volunteers for C.O.P.S and reminded everyone that he had really nice T-shirts for sale to support this organization.

Robert Reeves – Cathedral City. Mr. Reeves is a member of the Cove Steering Committee. Mr. Reeves reported that at the first^t of January about 25 people, residents, staff and consultants met and formed a political sub committee for the express purpose of finding additional funding sources for the cove sewer project. They have met with Mark Trest (Mary Bono's office). They will also meet with Senator Denise Ducheny next week and with Bonnie Garcia before the 18th. There is already 5.3 million dollars available from two previous grants. There are 1500 homes in the cove, 1200 single family, 900 owner occupied. One third of the households have income of \$25,000 or less, 46 percent have incomes of less that \$35,000 or less. This project will be a significant burden on these incomes for 15 years or more. They are also talking to Supervisor Wilson and the Desert Water agency.

Greg Wetmore – Rancho Mirage and Cathedral City Chamber of Commerce President and CEO. Mr. Wetmore thanked staff for the their support of the resent Orion Awards. The "Stomp" group from Cathedral City High School, performed at the end of the program and they were awesome. He attended a 14 state Chamber Conference last week. Their next mixer is at Desert Palms and free admission is a "white elephant" item for to be used in a future auction. Mr. Wetmore announced that the April breakfast will be honoring teachers from 2004/2005 and that there was to be a major event on April 22nd.

Teri from the Riverside County Fair and Date Festival presented this years Queen and her Court, each saying a few words to Council. Queen Scheherazade – Deanna Hanson, a Senior from La Quinta High School, Princess Jasmine – Emily Soto , another Senior from La Quinta, and Lindsey Armstrong, a Senior at Palm Desert High School.

Orrie Mann – Rancho Mirage and General Manager and Partner at Subaru-Volvo in Cathedral City. Mr. Mann advised that during digging on their property today, the diggers hit a gas line. While there were no injuries, there was an inconvenience for the public and he was sorry that this happened. He thanked the Police and Fire Departments for their timely response and help.

Linda Sigler – Cathedral City. President of the Cathedral City High School Band Boosters. She wanted to tell us that the group placed first in Palm Springs Competition for Color Guard. Council Member England added that the Band also was going to Chicago in November for the State Street Parade and will be on national T.V.and they will need to raise about \$1200 for each student and they are busy doing working on this.

Mayor DeRosa, seeing no one else wishing to speak, closed Public Comments.

CC/RDA/DTF MEETING

February 9, 2005

Page 4

AGENDA FINALIZATION:

Mayor DeRosa announced that item 11 would be continued to the meeting on February 23rd, however, they would be opening the Public Hearing and then continuing the item.

SCHOOL REPORTS

Stephanie Price – CCHS advised Council that the seniors were busy in ordering their graduation apparel. The Faculty was helping students to raise their test scores. There was to be a pep rally prior to the Homecoming event.

Melissa Torres – CCHS. The Sophomores AVID class are selling Valentine Bags containing a special message, a little bear, and some candy. The money they raise will go for there Junior year trip. On February 12th the Seniors are hosting their last Winter Ball.

COUNCIL COMMENTS

Mayor Pro Tem Pettis wanted to let everyone know that this Sunday, February 13th, 7:00 p.m. the Coachella Valley Community Church is hosting a concert with featuring Jason DeMarco here in Cathedral City. Later this month, Feb 25-27 at Big League Dreams there will be a Clemens NCA fast pitch softball women's tournament. Our Mayor will be there to throw out the first pitch. Also, Council Member Marchand and I had the opportunity to speak at the High School to about 45 young people from the Future Statesmen, Student Government, and the Gay Straight Alliance.

Council Member Marchand wanted to follow up on what the Mayor Pro Tem said, and it was a wonderful opportunity. Unfortunately the very same week a piece of news hit the internet and the hard copy media – the John S. and James L. Knight foundation did a study of high school students and found that fully between a third and forty percent of them when asked felt that the first amendment of the Constitution goes to far, and a similar number of them said that the media should have to get government permission before publishing certain types of news stories. The most precious freedoms that we enjoy are the freedom of speech and the freedom of petition. We have some serious work to do to remind people of how precious freedom of speech is, and hopefully this will be a wakeup call to my generation to pass this on, so that kids won't be thinking that freedom of speech is a dangerous thing.

Mayor DeRosa – The Mayor along with Council Member Marchand and Mayor Pro Tem Pettis attended the Salvation Army dedication on of the Chapel and grounds on Saturday. It is a beautiful facility. Also she wanted to congratulate the recipients of the Steve Chase Humanitarian Awards, there were a number of recipients, Tyne Daly was one, the City of Palms Springs another. This was a wonderful event to support the Desert Aids Project. The mayor wanted to recognize Office Hodges, one of our Police Officers. There is a letter that came from one of our residents for the wonderful professional work he has done. The council continues to work on our strategic plan and we are working especially on communication.

CC/RDA/DTF MEETING

February 9, 2005

Page 5

MINUTES

Approval/correction of minutes from the regularly scheduled City Council/RDA Board meeting held on Wednesday, December 8th, 2004 and minutes from of the regularly scheduled City Council/RDA Board meeting held on Wednesday, January 26th, 2005.

PRESENTATIONS & PROCLAMATIONS

Barbara Bowie introduced the new Cathedral City Librarian, Ms. Amy Dodson. She came to us from Nashville Tennessee. She has been a librarian for ten years, five in Nashville. She is looking to see how she can best serve Cathedral City.

Julie Baumer, Deputy City Manager introduced Joe Richards, the new city planner. Joe has been doing consultant work for the City for several years and we are please to have him as the City Planner. Previously Mr. Richards was the Planner for Riverside County.

Mayor DeRosa and the Council Members presented a Proclamation in observance of Black History Month to Joe Beaver from the Black Historical & Cultural Society.

There was a presentation from Ronald Enzweiler, the Executive Director of the Salton Sea Authority on the Salton Sea Restoration Effort which covered the status and current issues. Mr. Enzweiler stressed that if local officials and civic leaders let the state control the outcome, we will likely get a project that inhibits economic development and facilitates future out-of-basin water transfers. He feels that the Local Restoration Plan is achievable because local entities control the land, water, and largest funding source. Mr. Enzweiler was invited to come and talk at a Study Session in the future.

CONSENT AGENDA

Council Member England moved approval of the Consent Agenda, motion seconded by Mayor Pro Tem Pettis, motion carried 4-0 with the exception of item 10, which carried 3-1 as Council Member Marchand voted nay saying "It defies common sense to have two street within 30 feet of each other that are parallel and have different names.

1. Adopted Resolution of the City Council for the City of Cathedral City, terminating the Local Emergency, which was declared on January 11th, 2005 and ratified by the City Council on January 12, 2005 **by Resolution No. 2005-11.**
2. Adopted Resolution of the City Council for the City of Cathedral City, authorizing and directing the Police Department to destroy specified records pursuant to the City's Records Retention schedule adopted by Resolution No. 2003-57 **by Resolution No. 2005-12**
3. Authorized staff to execute amendment , a Service Provider Agreement with Ninyo and Moore. Geotechnical and Environmental Science Consultants to provide soils and materials testing services for the Date Palm Drive Overhead Widening Project **by Minute Order # 3845.**

CC/RDA/DTF MEETING

February 9, 2005

Page 6

4. Authorized staff to execute amendment, a Service Provider Agreement with Associated Engineer's, Inc., to provide construction surveying services for the Date Palm Drive Overhead Widening Project **by Minute Order # 3846.**
5. Authorized staff to execute a Reconstruction and Widening Agreement with the Union Pacific Rail Road (UPRR), to allow Cathedral City the right to construct and permanently use the Date Palm Drive Overhead Bridge Widening Project **by Minute Order # 3847.**
6. Approved final Parcel Map 30704 subdividing approximately 11.2 acres into 4 single parcels, located at 68-051 Ramon Road, in the PCC (Planned Community Commercial) and R-2B (Multi-Family Residential with bonus density overlay) Zone **by Minute Order # 3848.**
7. Approved final Tract Map 31921, located on the Northwest corner of Converse and Plumley Roads (La Paloma Homes, Inc.- Dan Arthofer) **by Minute Order # 3849.**
8. Approved Final Parcel Map 32303: A request to subdivide an approximately 1.7- acre parcel into 2 lots, located on the north side of Ramon Road, at the terminus of Cathedral Canyon Drive, in the Planned Community Commercial (PCC) Zone **by Minute Order #3850.**
9. Approved Palm Springs Desert Resorts Convention and Visitors Authority Partnership Boundaries **by Minute Order # 3851.**
10. Approved Tentative Tract Map Tentative Tract Map 32858: a request to subdivide 10.1 gross acres into 52 residential lots and two common lots north of Verona Road and Rio Valencia Road, south of Rio Largo, and west of Avenida Quintana within the Rio Vista Village Specific Plan, Specific Plan No. 97-55 **by Resolution No. 2005-14.**

PUBLIC HEARINGS

11. Joint Public Hearing between the City of Cathedral City and the Redevelopment Agency pursuant to Health and Safety Code sections 33431 and 33433 regarding a proposed Disposition and Development Agreement by and between the Agency and CCC Properties. LLC.

Mayor DeRosa opened the floor to Public Comments on this item, advising the audience that this item will be continued to the March 9, 2005 Council Meeting, but if anyone wished to speak at this time, they could. Hearing no one wishing to speak the item was continued **by Minute Order 3852.**

12. Joint Public Hearing between the City of Cathedral City and the Redevelopment Agency for the disposition of real property acquired by the Agency with Tax Increment funds to Pablo Jaramillo for the purpose of constructing affordable single-family owner-occupied homes for low or very low income families and the elimination of blight.

There was a brief report by City Manager Don Bradley.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, motions seconded by Council Member England, motion carried 4-0 **by Resolution No. 2005-14 and Resolution No. R-400.**

13. Joint Public Hearing between the City of Cathedral City and the Redevelopment Agency for the disposition of real property acquired by the Agency with Tax Increment funds to Habitat for Humanity of the Coachella Valley for the purpose of constructing affordable single-family owner-occupied homes for low or very low income families and the elimination of blight.

There was a brief report by City Manager Don Bradley.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, motion seconded by Council Member England, motion carried 4-0 **by Resolution No. 2005-15 and Resolution No. R-401.**

LEGISLATIVE ACTION(S)

14. Proposed ordinance of the City Council for the City of Cathedral City, continuing Chapter 5.80 to Title V, "Business Regulations of the Cathedral City Municipal Code regarding Safe and Sane Fire Works.

There was a report by Chief Sowles, Fire Chief. There are some changes in the Ordinance in that the Fireworks Program Permit Fee has been adjusted to reflect the more accurate costs, adding the costs for street sweeping in the areas of Panorama Park, Century Park and the Vista Street area.

Council Member Marchand asked a question of clarification.

Public Comments opened and closed without comment.

Member Marchand moved approval, motion seconded by Council Member England, motion carried 4-0 **by Minute Order # 3853.** Mayor DeRosa asked that the record reflect that while she is not in favor of fire works, she is in favor of supporting the non profit organizations who benefit from this.

CC/RDA/DTF MEETING

February 9, 2005

Page 8

15. Proposed resolution of the City Council for the City of Cathedral City, accepting the donation of a Sculpture, "Friends of the Heart" by artist Robert Thornley; and approving the paseo in the Civic Center as placement site for the Sculpture.

Julie Baumer, Deputy City Manager advised that the appraised value of this sculpture is \$35,000 and not \$25,000 as stated in the report.

Robert Marchand, Chair of the Public Arts Commission, reported that the offer of this sculpture came to the City from Mr. & Mrs. E. H. Heimann of Rancho Mirage and that the doner had paid for a professional appraisal of the sculpture. This is a very wonderful gift to our city. The Public Arts Commission is suggesting that the sculpture be placed in the center of the Paseo between the Police Department and the City Hall. Mr. Marchand answered several questions of Council.

Public Comments were opened and closed without comment.

Council Member Marchand moved approval, seconded by Council Member England motion carried 4-0 **by Resolution No. 2005-16.**

COUNCIL REPORTS ON CITIZEN INQUIRIES AND CONCERNS

Mayor DeRosa advised that she had one item, she would be speaking with the Fire Department about some code enforcement issues in the cove, and also thanked Public Works for their assistance with some debris on Gerald Ford and DuVall.

ADJOURNMENT

Hearing no further business to come before this council, Council Member Marchand moved we adjourn tonight in memory of the Marines from 29 Palms who have lost their lives in Iraq. Adjournment without exception at 7:48 p.m., Mayor DeRosa complimenting the council on the early hour at which we were adjourning.

Pat Hammer, CMC
City Clerk